

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
Case No. 5:18-cv-370-FL

Allen Grimes, on behalf of himself and all others similarly situated,

Plaintiff,

v.

LM Restaurants, Inc., a North Carolina Corporation; **LMR LLC**, a North Carolina Corporation; **Brier Creek Ale House, Inc.**, a North Carolina Corporation; **Cary Ale House, Inc.**, a North Carolina Corporation; **Franklin Street Ale House LLC**, a North Carolina Corporation; **Charlotte Plaza Ale House LLC**, a North Carolina Corporation; **Waverly Ale House LLC**, a North Carolina Corporation; **Concord Mills Ale House LLC**, a North Carolina Corporation; **Durham Ale House, Inc.**, a North Carolina Corporation; **Fayetteville Ale House, Inc.**, a North Carolina Corporation; **White Oak Ale House LLC**, a North Carolina Corporation; **Greenville NC Ale House LLC**, a North Carolina Corporation; **Jacksonville NC Ale House LLC**, a North Carolina Corporation; **North Raleigh Ale House, Inc.**, a North Carolina Corporation; **Raleigh Ale House, Inc.**, a North Carolina Corporation; **Wake Forest Ale House, Inc.**, a North Carolina Corporation; **Wilmington Ale House, Inc.**, a North Carolina Corporation; **Winston-Salem Ale House LLC**, a North Carolina Corporation; **Knoxville Ale House, Inc.**, a Tennessee Corporation; and **Short Pump Ale House LLC**, a Virginia Corporation; collectively d/b/a “Carolina Ale House,”

Defendants.

ORDER

This matter came before the Court on Plaintiff’s Motion to Stay Precertification Discovery and Motion for Protective Order [47], seeking entry of a protective order regarding Defendants’ deposition notices and written discovery requests served on the named and opt-in Plaintiffs prior to the Court ruling on Plaintiff’s pending Motion for Conditional Certification

[39]. The Court held a telephonic hearing with the parties regarding Plaintiff's Motions on November 14, 2018, during which the Court announced its rulings as follows:

1. Plaintiff's Motion for Protective Order as to Defendants' pre-certification discovery is **GRANTED**;
2. Plaintiff's Motion to Stay Precertification Discovery is **GRANTED**; and
3. The Court will address the commencement of discovery and a discovery schedule that will apply in this case after or as part of its resolution of Plaintiff's pending Motion for Conditional Certification.

SO ORDERED this 30th day of November, 2018.

A handwritten signature in black ink, reading "Louise W. Flanagan". The signature is written in a cursive, flowing style.

The Honorable Louise W. Flanagan
United States District Court Judge
Eastern District of North Carolina

PRESENTED BY:

/s/ C. Andrew Head

C. Andrew Head (appearing *pro hac vice*)

Bethany A. Hilbert (appearing *pro hac vice*)

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Attorneys for Plaintiff and the Class/Collective

CERTIFICATE OF SERVICE

I certify that on November 19, 2018, I electronically filed the foregoing PROPOSED ORDER with the Clerk of Court using the Court's electronic filing system, which will automatically send email notifications to all counsel of record registered to receive CM/ECF service in this case.

/s/ C. Andrew Head
C. Andrew Head